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SUBJECT: PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE
BRIEFS THE SECURITY COUNCIL ON RECENT CASES

REF: USUN 1008

¶1. BEGIN SUMMARY: Judge Rosalyn Higgins, President of the International Court of Justice (ICJ), briefed the Security Council on November 2, 2007, a day after she presented the Court's annual report to the General Assembly (reftel). She highlighted decisions rendered by the ICJ in two recent cases: Bosnia and Herzegovina v. Serbia and Montenegro and Argentina v. Uruguay. Ambassador Wolff gave a statement supporting the ICJ, stressing the ways in which the ICJ complements the Security Council's work (reftel). The other fourteen members of the Council then made similar statements, and several indicated the need to reconsider resolution 61/262 (Conditions of Service and Compensation for Officials other than Secretariat Officials: Members of the International Court of Justice and judges and ad litem judges of the ICTY and the ICTR). END SUMMARY.

¶2. In her statement to the Security Council on November 2, Judge Higgins focused her discussion on two key judgments rendered by the ICJ over the past year. She said that the Court's decision in Bosnia and Herzegovina, which concerned application of the Genocide Convention, should be of particular interest to the Security Council because of its mandate to maintain international peace and security and its related interest in preventing genocide (reftel). She then reported on Argentina v. Uruguay, which addresses the construction of pulp mills on the River Uruguay (reftel). Additionally, she indicated that the ICJ will open hearings on January 21, 2008 in Djibouti v. France, which implicates questions of mutual assistance in criminal matters, and that later in the year, the Court will hold hearings on cases concerning application of the Genocide Convention (Croatia v. Serbia and Montenegro) and maritime delimitation in the Black Sea (Romania v. Ukraine).

¶3. Following Judge Higgins' remarks, all fifteen members of the Security Council spoke in support of the ICJ, underscoring the Court's important role in maintaining international peace and security and emphasizing the complementary work of the Council and the ICJ. While Higgins did not raise concerns regarding resolution 61/262 and the compensation of ICJ judges to the Security Council, as she had previously done in her address to the General Assembly (reftel), several speakers raised the issue. More specifically, France, Slovakia, Belgium, Ghana, and the UK supported a review of the salary implications of resolution 61/262.
Khalilzad